

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
Claim No. **KB-2025-001991**

BETWEEN:
MAHIM KHAN
Claimant

-and-

ALKIVIADES DAVID
Defendant / Applicant in Person

DEFENDANT'S REPLY TO CLAIM AND RESPONSE TO LATER ASSERTED HARMONIA TRUST CONTROL

1. This Reply is deliberately narrow. It does not attempt to rehearse every wider allegation raised elsewhere. It addresses the fatal defect in the Claimant's presentation of this matter: the claim has been advanced as though the relevant asset and control history were simple, linear, and self-proving, when the documents now before the Court show the opposite.
2. The exhibited record shows that the **Harmonia Trust** was established as a real operating trust vehicle for the benefit of the descendants of **Alkiviades David**, with the primary beneficiaries identified as **Andrew, Alexandra, Nikola, and Konstantinos**. The same trust instrument places **Alki** in the core governance chain as the **initial appointer** and **initial remover**.
3. The same instrument shows that the protector office was central to the trust from inception. It names **Ryan Rudolph** as the **initial protector**, names **Jason P. Trenton** as the **successor protector**, gives the protector real powers including amendment powers before the division date and powers relating to trustee control, and expressly provides that **Alki**, as donor, may not hold ordinary office other than the reserved governance roles of **appointer** and **remover**. Far from weakening the Defendant's position, that drafting confirms that the structure was built around him while using separated offices for tax and governance purposes.
4. The contemporaneous Venable email trail independently confirms that Harmonia had already been **set up in the United States**, was **ready to receive funds from Credit Suisse**, and was intended to receive those funds in the **Harmonia Trust account** in order to fund a **Malibu real estate purchase then held in escrow**. The same chain confirms that Harmonia was to be funded from **Sub-Trust D** and that Ryan Rudolph's protector position was transitional, with a draft **resignation of protector** already prepared once funding occurred.

5. This alone is enough to destroy any suggestion that Harmonia was peripheral, invented later, or irrelevant to the present dispute. It was an operative funded structure tied to family trust assets, Credit Suisse funds, Sub-Trust D, and real property transactions.
6. The asset connection is equally serious. In a contemporaneous email, the Defendant recorded that **FilmOn** and **Hologram USA** were “**investments attached to the boys trust.**” That is not casual rhetoric; it is a direct contemporaneous statement placing core commercial assets within the same trust-and-beneficiary matrix.
7. The revised Harmonia instrument strengthens that point because it expressly permits retention of “special investments,” including interests in business entities where at least **10% of the equity interests** are owned directly or indirectly by **Alki**, his descendants, and their spouses. That provision is wholly consistent with the Defendant’s case that major family-connected business assets were intended to sit inside the Harmonia structure.
8. The later trustee-control story is not self-proving. On the opposing papers themselves, **Dorsey & Whitney Trust Company LLC**, through **Charles Russell Speechlys**, asserted trustee control over the Harmonia Trust and **4 Wilton Place**. Their own witness evidence says that Harmonia was declared by **Bridgeford Trust Company LLC** in 2018, amended in 2019, and that Bridgeford was later removed and Dorsey appointed in its place. Their own case also ties the trust to a loan/security structure around **4 Wilton Place**.
9. That matters because it means the Court is not dealing with a straightforward uncontested administration. The Court is dealing with a disputed chain of trust authority involving:
 - (a) an earlier funding pathway from **Sub-Trust D** and Credit Suisse;
 - (b) a Harmonia structure built for the Defendant’s descendants;
 - (c) reserved governance powers placed in the Defendant as initial appointer and remover;
 - (d) major assets treated as trust-connected; and
 - (e) a later asserted trustee-control narrative advanced by others.
10. The Defendant’s objections are not recent inventions. In March 2023, before the present escalation, he was already objecting to Harmonia’s administration, referring to the “right Harmonia,” asserting beneficiary rights, and challenging the then-existing handling of the structure. That contemporaneous objection is consistent with the present position and inconsistent with any suggestion that the Defendant only later fabricated a trust dispute as an afterthought.
11. There is also a concrete downstream money dispute. The extrajudicial declaration of **Dimitra Fanny David** addressed to **Dani Peretz** and **Alexia David** records a dispute over **€12 million**, says only **€1 million** had been repaid, and demands return of the balance. The Defendant relies on that not as a final adjudication of all tracing issues, but as proof that the family asset dispute is real, substantial, and live.
12. Taken together, these documents are more than sufficient to prevent the Claimant or any later trustee-asserting party from presenting Harmonia, 4 Wilton Place, and the associated asset-control narrative as simple, clean, or uncontested. At minimum, the material now before the Court establishes a serious dispute as to:

- (i) source of funds;
 - (ii) trust purpose;
 - (iii) beneficiary structure;
 - (iv) governance and protector arrangements;
 - (v) trust-connected assets; and
 - (vi) the validity and completeness of later asserted trustee control.
13. In those circumstances, the Claimant cannot safely invite the Court to proceed on the basis that later trustee assertions are enough by themselves. They are not. They are part of the controversy.
14. The Defendant appears not as a stranger to the trust, but as the **father of the identified beneficiaries** and as the person placed by the trust instrument itself in the **initial governance chain** through the offices of **appointer** and **remover**. This is therefore not some collateral quarrel about a third party's trust. It is a dispute about the trust structure for the Defendant's descendants and the later asserted control of assets treated as connected to that structure.
15. The proper procedural consequence is that the claim, insofar as it depends on a clean and undisputed asset-control narrative, should be rejected. At the very least, no dispositive or summary weight should be placed upon the respondents' or later trustees' account until the underlying chain is fully disclosed.

RELIEF SOUGHT

16. The Defendant respectfully seeks the following relief:
17. First, that the Court decline to treat the present claim, or any related Harmonia / trustee / 4 Wilton assertions, as suitable for summary or simplified determination on the present record.
18. Second, that the Court direct disclosure of the full trust chain, including:
- (a) original Harmonia formation documents;
 - (b) all amendments and restatements;
 - (c) all protector appointment, resignation, and replacement documents;
 - (d) all trustee appointment, removal, and replacement documents;
 - (e) all appointer and remover designations;
 - (f) all trust schedules and source-of-funds records;
 - (g) all documents relating to Sub-Trust D funding into Harmonia;
 - (h) all Credit Suisse transfer records;
 - (i) all records connecting Harmonia to 4 Wilton Place; and
 - (j) all records showing which business assets, including FilmOn and Hologram USA, were treated as trust property or trust-connected investments.
19. Third, that all such records be preserved and that no irreversible step be taken in reliance on later asserted trustee authority pending that disclosure.
20. Fourth, that the Defendant have liberty to rely upon further affidavit evidence from **Dimitra David** and **Rea David Tully** addressing the earlier funding structure, the family understanding of REALEX and Harmonia, and the subsequent dispute.

21. Fifth, that the Court either dismiss the claim to the extent it assumes a clean and uncontested control narrative, or alternatively stay or case-manage the matter on the footing that there is a substantial trust-and-asset dispute that must first be clarified.

CONCLUSION

22. The point is simple. Harmonia was an actual operating trust for the Defendant's descendants. The instrument places the Defendant in the core governance chain. Venable's own emails show Harmonia being set up in the United States to receive Credit Suisse funds from Sub-Trust D for a Malibu acquisition. The Defendant's contemporaneous emails place FilmOn and Hologram USA inside the boys-trust asset sphere. The later Dorsey / CRS papers then show a subsequent assertion of trustee control over the same structure and related property. That is not a clean claim. It is a disputed control history.
23. The Court should therefore refuse to let any party win by simply asserting the end of the story while suppressing the beginning and middle of it.